

22141 U.S. PTO
10/807890
032404

IN THE UNITED STATES PATENT AND TRADEMARK

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attorney's Docket No.: 372668-00101

PATENT APPLICATION FILING TRANSMITTAL

Transmitted herewith for filing is the Patent Application of: Zhidan TOLT

For: **AN ELECTRON EMITTING COMPOSITE BASED ON REGULATED NANO-STRUCTURES AND A COLD ELECTRON SOURCE USING THE COMPOSITE**

ENCLOSURES

- 29 page application including specification, claims and abstract;
- 11 sheets (Figs. 1A– 7D) of informal/ formal drawings;
- Declaration, Power of Attorney & Petition (signed/ unsigned);
- Postcard for return to us as proof of receipt of the referenced documents.

AND

- Assignment of the invention with a recordation form cover sheet;
- Applicant claims small entity status (Under 37 CFR 1.27);
- IDS (form PTO-1449) and copies of references;
- An Associate Power of Attorney;
- _____ certified copies of the priority documents (Under 35 USC 119);
- Request to Not Publish and Certification Under 35 USC 122(b)(2)(B)(i).

TYPE OF FILING

- This application is a _____ of _____ Patent Application Serial No._____, filed _____(35 USC 120).
- This application claims the benefit of the priority dates of three (3) earlier filed U.S. Provisional Patent Applications Serial No. 60/457,210, filed March 24, 2003; Serial No. 60/491,570, filed July 30, 2003; and Serial No. 60/521,135, filed February 24, 2004 (35 USC 119).
- This is an application filed pursuant to 37 CFR 1.53, permitting receipt of a filing date upon filing of specification, claims and drawings, if required, with applicant being given a period of one month from the date of notice to file the fee and oath or declaration.
- In the event any parts of this application are missing, please treat this as a filing under 37 CFR 1.53 as defined just above.

CERTIFICATE OF MAILING (37 CFR 1.10(a))

CERTIFICATE OF MAILING BY "EXPRESS MAIL" - Rule 10: I hereby certify that this correspondence is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 as Express Mail No. EL 989 308 001 US addressed to Mail Stop New Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date: March 24, 2004

Yolette Yurralde Owen

86069.1.17

Attorney Docket No. 372668-00101
PATENT FILING TRANSMITTAL

FEE CALCULATION

The filing fee has been calculated as shown below:

	SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
BASIC FEE	\$170	\$0		\$340	\$0
Design Patent					
BASIC FEE	\$385	\$385		\$750	\$0
Utility Patent					
EXTRA FEES	RATE	FEES	RATE	FEES	
Total claims 68 minus 20 = 48	x9 =	\$432	x18 =	\$0	
Independent Claims 5 minus 3 = 2	x43 =	\$86	x86 =	\$0	
<input type="checkbox"/> Multiple Dep. Claim	+145 =	\$0	+290 =	\$0	
<input type="checkbox"/> Assignment	+40 =	\$0	+40 =	\$0	
<input type="checkbox"/> Rule 53 Surcharge	+65 =	\$0	+130 =	\$0	
TOTAL		\$903			\$0

FEE PAYMENT

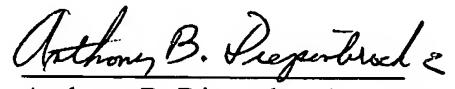
- Attached is Check No. _____ in the amount of \$0 for the cost of the _____ 3
 Please charge Account No. 50-2778 the amount of \$0 for the cost of _____

FEE DEFICIENCY

- The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-2778
 Any additional filing fees required under 37 CFR 1.16, except Rule 53 filings, which will be paid within the time permitted by PTOL 1533.
 Assignment Recordal fees.
 The filing fee and surcharge under 37 CFR 1.16, patent application processing fees under 37 CFR 1.17 and patent issue fees under 37 CFR 1.18 are intended to be paid by our firm as they arise. As no abandonment is intended by any inadvertent nonpayment of fees, the Commissioner is hereby authorized to charge payment of such fees as from time to time come due, if not paid prior to due date to our Deposit Account No. 50-2778.

Dated: March 24, 2004

Respectfully submitted,


 Anthony B. Diepenbrock III, Esq.
 Reg. No. 39,960

DECHERT LLP
 Customer No. 37509
 P.O. Box 10004
 Palo Alto, CA 94303-0961
 Tel. 650.813.4800
 Fax. 650.813.4848

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REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

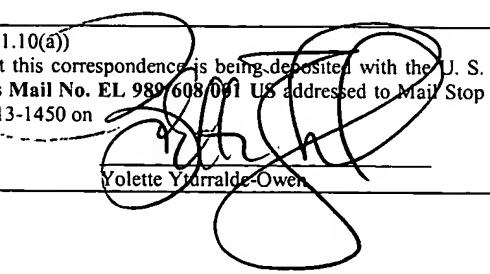
Date: March 24, 2004



Anthony B. Diepenbrock III
Reg. No. 39,960

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Volette Yturralde-Owen